

REMARKS

With entry of this amendment, Claims 1, and 3-22 are pending. Claims 1, 4, 15 and 19 have been amended. Claim 2 has been cancelled. Support for the amendments to the claims can be found on page 17, lines 26-28 and page 18, lines 21-29. No new matter has been added by these amendments.

35 U.S.C. §102(b)

Claims 1-12, 14-16 and 19 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,470,585 (Gilchrist). The Examiner states "Gilchrist discloses a medicinal substance for topical application."

Applicant respectfully asserts that Gilchrist discloses a water-soluble glass containing silver or a silver compound (*See Gilchrist Abstract*). The release of the silver ions in Gilchrist is dependent on the dissolution rate of the glass in an aqueous environment. (*See Gilchrist column 4, lines 1-3*). In contrast, the present invention, as currently claimed, is a medical device comprising a conductive material at least partially composed of a biologically inert polymer which is at least partially coated with a metal or metal alloy. Gilchrist requires water soluble glass, to deliver silver to a site. The present invention does not use water soluble glass and is therefore not anticipated by Gilchrist. Applicant respectfully requests this rejection be withdrawn.

35 U.S.C. §103(a)

Claims 13, 17 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gilchrist. The Examiner states that "Gilchrist fails to explicitly teach the device has a tubular shape, however, when incorporated in a drainage tube as a liner, the device will assume a tubular shape." Applicant respectfully traverses this rejection.

Claims 13, 17 and 18 are dependent claims. As stated above, Applicant respectfully asserts that the invention as presently claimed comprises a medical device comprising a biologically inert polymer which is at least partially coated with metal or a metal alloy. Claims 13, 17 and 18 currently recite tubular shaped medical devices comprising a biologically inert polymer at least partially coated with metal or metal alloy. In contrast, Gilchrist teaches a water soluble glass which contains silver ions. The device that assumes a tubular shape in Gilchrist is a water soluble glass. There is no teaching or suggestion in Gilchrist to use anything other than a water soluble glass to deliver silver ions and it therefore does not render the compositions in Claims 13, 17 and 18 obvious. The Examiner is respectfully requested to withdraw this rejection.

MARKED COPY OF AMENDMENTS

Amendments to the Claims:

Claim 2 has been canceled.

Claims 1, 4, 15 and 19 have been amended as follows:

1. (Twice Amended) A medical device for treating a portion of the body of a living organism, comprising, at least one layer of conductive material,

wherein the conductive material comprises a resistance less than about 1000 ohms/cm²;

wherein the conductive material is at least partially composed of a biologically inert polymer which is at least partially coated with metal or a metal alloy; and

wherein no external energy source or galvanic cell action is required to alter an electrodynamic process of a portion of the body of a living organism.

4. The medical device of Claim [2] 1, wherein the metal is selected from the group consisting of silver, gold, aluminum, nickel, tin, stainless steel, copper, and combinations thereof, and the metal alloy is selected from the group consisting of aluminum-copper, aluminum-magnesium, copper-gold, copper-nickel, copper-palladium, gold-palladium, gold-silver, iron-nickel and silver-palladium, and combinations thereof

15. A medical device, comprising, a wound dressing incorporated into an appliance;

wherein the wound dressing comprises more than two [a plurality of] layers of a fibrous material;

wherein the material contains nonmetalized fibers and fibers that are at least partially coated with a metallic material to yield metalized fibers, each layer being joined to an adjacent layer and having a ratio of metalized fibers to nonmetalized fibers; and

wherein the layers form a gradient of metalized fiber to nonmetalized fiber ratios, the highest ratio layer capable of being placed in [a] contact with a wound site.

19. (Twice Amended) A method for treating a portion of the body of a living organism, comprising,

a) applying a medical device to a portion of the body of a living organism, wherein the medical device comprises at least one layer of conductive material;

wherein the conductive material comprises a resistance less than about 1000 ohms/cm²;

wherein the conductive material is at least partially composed of a biologically inert polymer which is at least partially coated with a metal or metal alloy; and

wherein no external energy source or galvanic cell action is required to alter an electrodynamic process of a portion of the body of a living organism;

b) altering the electric parameters of the portion of the body without using an external energy source or galvanic cell action; and

c) lowering the electrical resistance and increasing the current of the portion of the body.

Applicant respectfully submits that this is a complete response to the Office Action dated June 12, 2002 and that Claims 1-22 are patentable. Early and favorable consideration is earnestly solicited. If the Examiner believes there are other issues that can be resolved by telephone interview, or that there are any informalities remaining in the application which may be corrected by Examiner's Amendment, a telephone call to the undersigned attorney at (404) 815-6500 is respectfully solicited.

Respectfully submitted,

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